

IN THE UNITED STATES BANKRUPTCY COURT FOR
THE SOUTHERN DISTRICT OF MISSISSIPPI

IN THE MATTER OF:

CHAPTER 13 NO.:

MELVIN MARSHALL THAGGARD AND
LACRYSTAL APRIL RHYNES

19-03455 - JAW

TRUSTEE'S NOTICE AND MOTION TO MODIFY

COMES NOW Harold J. Barkley, Jr, the duly appointed and qualified Standing Trustee in the above cause and moves to modify the above proceeding for reasons to be shown below.

1. The Debtors' Chapter 13 Plan was confirmed by Order of this Court entered on February 27, 2020 said plan being for a period of 60 months with 19.5313% to unsecured creditors.

2. That, Mississippi Department of Revenue has filed a priority claim (Claim Number 17-1) in the above styled and numbered case in the amount of \$147.60 for state taxes.

3. Therefore, the Debtors' plan should be modified to pay the Mississippi Department of Revenue's priority claim in the amount of \$147.60 over the life of the confirmed plan. That, the Debtors' wage order should be amended as necessary to comply with the terms of this motion.

4. The indebtedness of those creditors not timely filing proof of claims should be paid \$0.00, and said indebtedness should be discharged upon completion of this plan.

5. **You are hereby notified** that all Objections must be made in writing to the Clerk of this Court. Attorneys and Registered Users of the Electronic Case Filing (ECF) system should file any response using ECF. Others should file any response at U. S. Bankruptcy Court, U. S. Courthouse, 501 East Court Street, Suite 2.300, Jackson, MS 39201, with a copy mailed to the Trustee at the address below.

6. **You are further notified** that all Objections must be made within thirty (30) days of this date, being **September 3, 2021.**

7. **You are further notified** that should no Objection be timely filed, the Court will be requested to enter an Order ex parte.

8. Other grounds to be shown at a hearing hereon.

WHEREFORE, PREMISES CONSIDERED, Trustee prays that this motion be received and filed, and at a hearing hereon this Honorable Court will enter its Order sustaining Trustee's Motion to Modify, and for such other, further and general relief to which the Trustee and this bankrupt estate may be entitled.

Dated: August 4, 2021

Respectfully submitted,

/s /Harold J. Barkley, Jr.
HAROLD J. BARKLEY, JR. – MSB #2008
CHAPTER 13 TRUSTEE
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C E R T I F I C A T E

I, Harold J. Barkley, Jr., Trustee, do hereby certify that I have this date mailed a true and correct copy of the foregoing pleading to the following parties by United States Mail, postage prepaid or by ECF Filing Notification:

Office of the U S Trustee
ustpregion05.ja.ecf@usdoj.gov

Hon. Thomas Carl Rollins, Jr.
trollins@therollinsfirm.com

Melvin Marshall Thaggard
Lacrystal April Rhynes
30 CR 503263
Newton, MS 39345

Mississippi Department of Revenue
Bankruptcy Section
Post Office Box 22808
Jackson, MS 39225-2808

Dated: August 4, 2021

/s/ Harold J. Barkley, Jr.
HAROLD J. BARKLEY, JR.